

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 30, 2006 (the "Office Action"). At the time of the Office Action, Claims 1-21 were pending in the application. The Office Action rejects Claims 1-21. Applicants amend Claims 1, 9, 15 and 21 and cancel Claims 5-6 and 12. Applicants respectfully request reconsideration and favorable action in this case.

Section 101 Rejections

Claims 15-20 are rejected under 35 U.S.C. §101 because the Office Action contends that the claimed invention is directed to non-statutory matter. Applicants have amended independent Claim 15 to recite logic embodied as a computer program stored on a computer readable medium. Applicants respectfully request withdrawal of these rejections.

Double Patenting Rejection

Claims 1-21 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-21 of co-pending applications 10/807,589 and Claims 1-21 of co-pending application 10/807,560. As these are provisional double patenting rejections, Applicants defer the decision to file a terminal disclaimer or traverse the rejections until the Examiner has indicated that the present application and co-pending applications 10/807,589 and 10/807,560 include allowable subject matter.

Section 102 Rejections

The Examiner rejects Claims 1-21 under 35 U.S.C. 102(b) as being anticipated by WO 2003/001340 to Mosttov ("*Mosttov*"). Applicants respectfully traverse these rejections.

Amended Claim 1 recites wherein a set of the inputs map to commands of the application and wherein the symbol gestures are logically associated with names of the commands. Claims 9, 15 and 21 recite similar elements. Similar elements previously appeared in original Claims 5 and 6. The Office Action suggests that *Mosttov* teaches these elements. *See* Office Action, page 9. In particular, the Office Action states that "page 8,

lines 1-2 of *Mosttov* teaches the gestures can be tracing of letters or numbers, this reads on the symbol gestures are logically associated with names of the commands or the symbol gesture is defined by a single continuous sequence of accelerations defined with respect to the first position." *Id.* The portion of *Mosttov* cited by the Office Action states that "[t]he gestures be either simple, e.g., circular motion or shaking, or complex, e.g., tracing of letters or numbers." *Mosttov*, page 8, lines 1-2. The mere disclosure that a gesture can be a circular motion, shaking, or even a letter or a number does not disclose that symbol gestures are logically associated with names of commands of an application. Therefore, for at least these reasons, Applicants respectfully submit that Claims 1, 9, 15 and 21 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 2-4 and 7-8 each depends from Claim 1, Claims 10-11 and 13-14 each depends from Claim 9 and Claims 16-20 each depends from Claim 15. Thus, for at least the reasons discussed above with respect to Claims 1, 9 and 15, Applicants respectfully request that the rejections of Claims 2-4, 7-8, 10-11, 13-14 and 16-20 be withdrawn.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad C. Walters, Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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